


Attorney Docket No. 20720-95586-PJM



12/Suppl B  
C/m  
12-2-99  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Peter J. Manso, Reg. No. 32,264

Dec. 2, 1999  
December 2, 1999  
Mailing Date

In re Application of: Eugenio A. Cefali  
Serial No.: 08/962,421  
Filing Date: October 31, 1997  
Group Art Unit: 1615  
Examiner: J. Spear  
Title:

**INTERMEDIATE RELEASE NICOTINIC ACID  
COMPOSITIONS FOR TREATING HYPERLIPIDEMIA  
WHICH EXHIBIT AN IN VIVO STAIR-STEPPED  
ABSORPTION CURVE**

Assistant Commissioner of Patents  
Washington, D.C. 20231

December 2, 1999

Sir:

**FIRST SUPPLEMENTAL AMENDMENT**

This responds to the Office Action mailed on July 2, 1999 in connection with the above-identified application for U.S. patent. Kindly amend the above-identified application for U.S. patent as follows.

In the Claims:

Kindly amend claims 1 and 3 as follows:

(1)(Amended) An intermediate release nicotinic acid formulation suitable for oral administration once-a-day as a single dose for treating hyperlipidemia without causing treatment limiting hepatotoxicity and treatment-limiting elevations in uric acid or glucose levels or both [for hepatotoxicity] to a level which would require use of said intermediate release nicotinic

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